(col.14, line 50). The oral dosage is between 5 to 1000 mg per day with unit dosages ranging from 1 to 250 mg of active substance (col.38, lines 20-24). The composition may include diluents and pharmaceutical acceptable solutions (col.37, lines 32-47).

However, it is admitted that Achard et al. '613, fails to disclose a specific combination of the azetidine derivatives with levodopa. Durif et al. '917 however, teaches that the classic treatment of Parkinson's disease involves the administration of levodopa (col.1, lines 29-33) and the confirmation of this reference with that of Achard et al. '613 would lead one of ordinary skill in the art to the present invention at issue.

Therefore, it is the Examiners' position that it would have been prima facie obvious to a person of ordinary skill in the art, at the time the claimed invention was made, to combine N-{1-[bis(4-chloro-phenyl)methyl]azetidine-3-yl}-N-(3,5-difluorophenyl)-methylsulfonamide and levodopa and a person of oridinary skill in the art would have been motivated to make this combination because of the therapeutic additive effects for the treatment of Parkinson's disease. The Examiners continued rejection of the claims at issue is respectfully traversed for the following reasons.

REJECTIONS UNDER 35 U.S.C. § 103

In the amendment and response of May 18, 2006, Applicants, by their attorney, filed a terminal disclaimer in order to overcome a double patenting rejection based on United States Patent No. 6,355,631 to Achard et al. Said disclaimer renounced the terminal part of any patent that issued from this application that extended beyond the expiration date of Achard et al. '631., i.e. March 2, 2021. The disclaimer also asserted that Achard et al '631 was commonly owned with 100% interest by Aventis Pharma S.A. together with the instant application at issue. This declaration of common ownership was also made pursuant to a suggestion by Examiner Chong at page 4 of the office action of July 11, 2006 since U.S. Patent 6,355,631 B1 to Achard et al. was cited as a 35 U.S.C. 102(e) reference in a 35 U.S.C. 103 (a) rejection and a statement as to common ownership of a cited prior art reference and a patent application when filed would remove that reference as prior art.

During an informal telephone interview with Examiner Chong on October 3, 2006, the undersigned attorney clarified that the instant application (U.S.S.N. 10/786,810) and U.S. Patent No. 6,355,631 to Achard et al. were commonly owned by Aventis Pharma S.A. at the time the present application was filed and that they continue to be so owned. This should remove the Achard et al. '631 as a 102(e) reference. This statement of common ownership was made in the disclaimer of